App. F. IX-4

1941. (Ch-) File No. 68-41

Previous References. Serial Nos. 1-2

Ch- 27-18 (1-6, 8, 11-16 18+19)

Later References.

Ch- 186-41 (1-2)
CB dep. no. 383 /41-42
Ch- 35-46 (1-5)

GENERAL AND REVENUE SECRETARIAT.

Serial Nos. two only

Part B for Sept '41

SUBJECT.

Appointment of Asst. Commissioner in charge of the B'lore Taluk and Civil Officer Bangalore as a I class Mag. to try Cases arising in the areas occupied by Italian Prisoners of War and the Mily. Training Camps.

P. 1264-89 Dated 17.9.41

To

1) Compiler, Mysore Gazette
2) Rev. Commr.
3) Registrar H.C.
4) D.M. Bangalore
5) Comptroller

Notifies the investiture of certain powers on the Assistant Commissioner in charge of the Bangalore Sub-Division for trial of Cases arising in Military Camps.

C. G. Vajravelu
7.11.41

Serial No.

From
The Registrar High Court
Roc No 357 /41-42 Dt 13-9-1941.

Recommends that the Asst Commissioner in Charge of Bangalore Taluk may be empowered to try all Cases under the I.P.C and local laws arising in the area referred to in his letter Dt 13-9-41 and that the Officer may also be invested with Certain additional powers.

The proposals of the High Court are that the Asst Com^r in Charge of Bangalore Taluk may be empowered to try all Cases under the I.P.C and Special and local Laws arising in the area occupied by the Camps for Italian prisoners of War and other Military Training Camps and that Officer also invested with additional powers.

2) Under the Separation Scheme, the Asst Commissioners in Charge of Revenue Sub Divisions and Treasuries are Magistrates Ex-officio. Reference is respectfully invited to Govt Notⁿ Dt 14-12-1918 Conferring certain Asst Commissioners in charge of Revenue Sub Divisions and Treasury in Bangalore & Shimoga Districts all the ordinary powers of a First Class Magistr

Hcq T.

NOTE—Contn. Sheet.

Serial No.

While introducing the Separation Scheme into these Districts It is seen therefrom that no such power has been Conferred on the S.D.O. Bangalore Taluk It is therefore assumed that the Officer is not exercising any Magisterial powers at present as an Ex-Officio Magistrate

3) It appears, therefore, necessary that the Officer should first be Conferred with ordinary powers of a First Class Magistrate and then invested with additional powers. also.

(1) point to order

4) In regard to the jurisdiction, it is submitted that in the High Court letter, no mention has been made about it and it is only the Dist Magistrate that has suggested that Contested Cases may be tried by the City Magistrate or the Second Magistrate as the case may be.

5) It is therefore inferred that the City Magistrate Bangalore, the Second Magistrate Bangalore and the Asst Com^r in Charge of the Bangalore Taluk who is now proposed to be

Trial of Criminal Cases arising in the protected areas

1545

General and Revenue Secretariat — CS File No. 68 of 1941. [App. F. III—2

Serial No.

1 Empowered to try the Cases in the area specified in the P.H.D, with exercise Concurrent jurisdiction over the Cases arising in the localities in question.

A. 6) It is not also clear as to whether any extra staff is required for work in the Court to be located in the Camp.

7) A draft of a Notification on the lines of the High Court letter is however put up for approval or other orders

Copy 16/9 hm

8) The High Court may be consulted in respect of the matters involved at the portion marked A above.

9) The Notification may be approved, as recommended by the High Court

Law Secretary 3 16/9/41

SECY. LAW DEPT. 16 SEP. 1941 GOVT OF MYSORE

OFFICE OF THE MINISTER FOR LAW SEP 17 1941 No 2723

10) The notification may be approved.

Minister for Law. Yes. Please issue Supplement. 17.9.41. hm 17/9

3 17/9/41

17/9

hm 17/9/41

hm 17/9/41

NOTE—Contn. Sheet.

WD 03967—GPB—5,000—30-8-41

File No. of 194 General and Reven Secretariat

To
The Compiler Mysore ~~Govt~~ Gazette
P 1169 dt 17.9.41

Notifies the investiture of Certain powers on the Asst Comr in charge of B. Cne Taluk for trial of cases arising in
M. Vilas Co

DIARY NO.....
19 -10
SECTION Cs
I.L. No. 68-41
SERIAL No. 1.
1545/41
Cs 68-41-1
R. O. C. No. 357 41-42.
Encl one
SECY. LAW DEPT. 13 SEP. 1941 GOVT OF MYSORE
GENL. & REV. SECRETARIAT. 15. SEP. 1941 NOTIFICATION BRANCH.

HIGH COURT OF MYSORE,
Public Office Buildings, Cubbon Park,
Bangalore, 12th September 1941.
/3

FROM

T. SHAMIENGAR, ESQ., B.A., B.L.,
Registrar, High Court of Mysore.

TO

H.V. NARAYANA RAO, ESQ., B.A., LL.B.,
Secretary to the Government of Mysore,
Law Department, BANGALORE.

SIR,

In forwarding herewith a copy of letter No.J.1-353/41-42 dated the 10th September 1941, received from the District Magistrate of Bangalore, in regard to the trial of offences arising in the area occupied by the Camps for the Italian Prisoners of War and two other military training camps specified in Government Notification No. P.511/Legis.2-41-7 dated 1st August 1941, I am directed to state that the proposal of the District Magistrate appears to be a good one and to request therefore that the Government may be pleased to empower the Assistant Commissioner in charge of Bangalore Taluk to try all cases under the Indian Penal Code and Special and Local Laws arising in the area referred to above and to hold his Court in the Camp area itself. It is recommended that he should be invested with all the additional powers with which a Magistrate of the First Class may be invested, except (i) the power to hear appeals from convictions by Magistrates of the Second and Third Classes (Section 407, Code of Criminal Procedure) and (ii) the power to try cases under Section 124 A of the Indian Penal Code.

I have the honour to be,
Sir,
Your most obedient servant,

T. Shamiengar
REGISTRAR.

GRA/-

Letter No.J.1-353/41-42, dated 10th September 1941, from the District Magistrate, Bangalore District to the Registrar, High Court of Mysore, Bangalore.

I have the honour to invite rerference to Government Notification No.P.511-Legis.2-41-7 dated 1st August 1941, declaring certain areas to be a protected area, under sub-rule (1) of rule 8 of the Defence of India Act. The area covered by this Notification is occupied by the two camps for the Italian Prisoners of War and two other Military Training camp.

2. Under the present arrangement, the City Magistrate, Bangalore, exercises jurisdiction in respect of all first class cases under the Indian Penal Code, arising in this area while, the Second Magistrate Bangalore, has jurisdiction to try all cases other than the first class cases under the Indian Penal Code and all cases under Special & Local Laws. This arrangement has been found to be inconvenient. Petty cases of nuisance and assault and cases of entering the protected area without permission have arisen recently in this area. All these cases have now to be tried at Bangalore.

3. The Military authorities feel that it would be more convenient if such cases are tried on the spot by a Special Magistrate. The Assistant Commissioner in charge of the Bangalore Taluk, is the Civil Officer who is in close liaison with the Military authorities. I therefore venture to recommend that the Civil Officer may be empowered to try all cases under the Indian Penal Code and Special & Local Laws arising in this area. He may be invested with all the additional powers with which a Magistrate of

the First Class may be invested, except (1) the power to hear appeals from convictions by Magistrate of the Second and Third Classes, (Section 407) and, (ii) the power to try cases under Section 124A of the Indian Penal Code.

4. Arrangements will be made for the Civil Officer to hold his Court in the camp itself. It is understood that the Military authorities have agreed to provide accommodation. The Office will remain at Bangalore and the Civil Officer will visit the camp whenever necessary, hold the Court and dispose of cases arising in this area. I may add that contested cases which might require the aid of Counsels will be transferred for disposal to the City Magistrate or the Special Second Magistrate as the case may be.

5. I request the favour of your obtaining very early orders in this matter.

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* Copy *

T. Shanmugam

REGISTRAR.

GRA/-

Regd. No. M.—1175

The Mysore Gazette

EXTRAORDINARY.

PUBLISHED BY AUTHORITY.

BANGALORE, FRIDAY, AUGUST 1, 1941.

NOTIFICATION.

No. P. 511—*Legis.* 2-41-7, *dated Bangalore, the* 1*st August* 1941.

In modification of Notification No. P. 4470—Legis. 2-40-62, dated 27th February 1941, declaring a certain area to be protected area, and in exercise of the powers conferred by sub-rule (1) of rule 8 of the Defence of India Rules, as applied to Mysore, the Government of His Highness the Maharaja are pleased to declare that the area specified in the schedule hereto annexed shall be protected area.

They are further pleased to specify the 2nd day of August 1941 for the purposes of sub-rule (2) of rule 8 and the Camp Commandant, Prisoners of War Camp, Bangalore, the Commander, Madras District, Bangalore, and the Civil Officer, Bangalore, as the authorities to grant permits in writing under the same sub-rule.

They are also pleased to direct that the District Board Road passing through the said area or such other road as may hereafter be notified by the Deputy Commissioner, Bangalore (in consultation with the Military Authorities) shall be left open for *bona fide* public use as a thoroughfare.

SCHEDULE.

Sl. No.	Name of taluk	Name of hobli	Name of village	Survey No.	Boundary
			JALAHALLI TRAINING CAMP NO. I.		
1	Bangalore North ...	Kasba ...	Vyalikaval ...	20	...
2	Do ...	Do ...	Indian Institute of Science lands.	A. G. 123-13	*East.*—Dyavasandra and Geddlahalli.
3	Do ...	Do ...	Mattikere ...	3, 4, 5/1-2, 6, 7, 8; 9/1-2, 10, 11, 18, 28/1 and 3, 29/1-2, 30, 31, 32/2, 33/1-3, 34/1-3, 35, 36/1-2, 37, 38, 39, 40.	*West.*—Yeswantapur and Vyalikaval lands.
				41/1-4, 42, 43/1-3, 44, 45/1-2, 46/1-3, 47/2-3, 51/2, 52/1-2 53, 54 and 55.	*North.*—Part of Mattikere and Purnapura lands. *South.*—Indian Institute of Science lands.
4	Do	Do ...	Chikkamarnahalli ...	13, 15/1, 16/1-4	...
			JALAHALLI TRAINING CAMP NO. II.		
1	Bangalore North ...	Yelahanka ...	Dodbomsandra ...	11, 13 to 27, 29, 30, 67 to 84.	*East.*—Bangalore Guntakal Railway line.
2	Do	Yesvantapur ...	Jalahalli ...	10 to 12, 18 to 23 and 77.	*West.*—Jalahalli plantation.

3	Bangalore North	...	Kasba	...	Purnapura	...	1 to 8, 9/3, 10/1–2, 11/1, 13/1–3, 14, 16 to 19, 21, 31/3, 32/1–3, 38/3, 39 to 42.	*North.*—Ramachandrapura and Dodbomsandra.
4	Do	...	Do	...	L. Gollahalli	...	14 and 15	*South.*—Pipe line of Hessarghatta Water Supply.

PRISONERS OF WAR CAMP NO. I.

1	Bangalore North	...	Yesvantapur	...	Jodi Malasandra	...	28 to 34, 38 and 51.	*East.*—Bangalore-Poona Railway Line and part of Peenya Plantation.
2	Do	....	Do	...	Dasarahalli	...	5 and 6	
3	Do	...	Do	...	Peenya	...	10, 13, 14, 16 and 19	
4	Do	...	Do	...	Jodi Kammagondahalli.		19/1–2, 20, 23, 24 and 26.	*West.*—Mallasandra and Settihalli lands.
5	Do	...	Do	...	Jodi Settihalli	...	2 to 4, 6, 9 to 13, 16 to 18.	*North.*—Railway Line, Kamagondanahalli.
6	Do	...	Yelahanka	...	Jarkabande Kaval	...	15 and 16	*South.*—Pipe Line, Dasarahalli and Bangalore-Tumkur Road.

In addition to the above, an extent of 50 acres in Peenya Plantation and 10 acres in Jarkabande Kaval Plantation are included in the area.

Sl. No.	Name of taluk	Name of hobli	Name of village	Survey No.	Boundary
			PRISONERS OF WAR CAMP NO. II.		
1	Bangalore North ...	Yelhanka ...	K. Ramachandrapura	5, 9/1-2, 10, 11, 13, 17, 19 to 28.	*East*.—Jarkabande Kaval, Ramachandrapura and Dodbomsandra.
2	Do ...	Do ...	Jarkabande Kaval ...	21 to 24, 26, 31, 32/1-2, 51 to 53.	*West*.—Singapura Village and Jarkabande Plantation.
3	Do ...	Do ...	Dodbomsandra ...	47/1 ...	*North*.—Lakshmipura and Chikkabettahalli quarry.
4	Do ...	Do ...	Jodi Singapura ...	9 to 12, 16 to 26, 29 to 44.	*South*.—Part of Ramachandrapura and Jarkabande Plantation.
			RIFLE RANGE AREA.		
1	Bangalore North ...	Yelahanka ...	...	...	*East*.—Singapura and Prisoners of War Camp No. II. *West*.—Abbigere, Kammagondanahalli and Pipe Line. *North*.—Abbigere Lakshmipura. *South*.—Plantation.

By Order,

B. T. KESAVIENGAR,

Chief Secretary to Government.

Printed by the Superintendent at the Government Press, Bangalore

ale No. P/1264 Ch 68-41-2 9.17.9.41

G. R. S. App. F. G. 3.

GENERAL AND REVENUE SECRETARIAT.

(*Continuation sheet draft form.*)

Notification

Under Section 39 Of the Code Of Criminal procedure, 1904, Govt are pleased to Confer on the Assistant Commissioner in Charge Of the Bangalore Sub Division and Civil Officer Bangalore, by Virtue Of his Office, all the ordinary powers Of a Magistrate Of the First Class Under the Code and Under Section 37 Of the Code he is invested With ~~the~~ all the additional powers specified in Schedule IV as powers With which a Magistrate Of the First Class may be invested by Govt except the following powers:-

(1)

P.T.O.

WD 0282—GPB- 22,500—14-3-38

(i) power to hear appeals from Convictions by Magistrates of the Second and Third classes (Section 407, Code of Criminal procedure)

(ii) power to try Cases of Sedition under sec 124 A of the I.P.C

He will exercise his magisterial powers within the area occupied by the Camps for the Italian prisoners of War and the ~~training~~ military training Camps Specified in Govt Notn No P 511 / Legis 2-41-7 dt 1.8.1941 and try all Cases under the I.P.C and Special and Local Laws arising in the area referred to above. He will hold his Court

G. R. S. App. F. G. 3.

GENERAL AND REVENUE SECRETARIAT.

(*Continuation sheet draft form.*)

in the Camp area.

By order

Hm 17.9.41

Secretary to Govt
Law Dept

To

The Compiler Mysore Gazette

No. P 1265-9 & 17.9.41 for publication

Copy (1) The Regr. Mlm Court

(2) The Dy. Bangalore

(3) The Comptroller & Govt

(4) The Regr. Court in Mysore

Why not published by any one? Hm 17/9

WD 03603—GPB—15,000—8-7-35

Ex

GOVERNMENT OF HIS HIGHNESS THE MAHARAJA OF MYSORE.

No.1264/Cts. 68-41-2 General and Revenue Secretariat, September 1941.

Dated Bangalore, ...

NOTIFICATION.

Under Section 39 of the Code of Criminal Procedure, 1904, Government are pleased to confer on the Assistant Commissioner in charge of the Bangalore Sub Division and Civil Officer, Bangalore, by virtue of his office, all the ordinary powers of a Magistrate of the First Class under the Code and under Section 37 of the Code he is invested with all the additional powers specified in Schedule IV as powers with which a Magistrate of the First Class may be invested by Government except the following powers:-

(i) power to hear appeals from convictions by Magistrates of the Second and Third Classes (Section 407, Code of Criminal Procedure).

(ii) power to try cases of sedition under Section 124-A of the Indian Penal Code.

He will exercise his Magisterial powers within the area occupied by the camps for the Italian Prisoners of War and the Military Training Camps specified in Government Notification No.P.511/Legis. 2-41-7 dated 1st August 1941 and try all cases under the Indian Penal Code and special and local laws arising in the area referred to above. He will also hold his Court in the Camp area.

By Order,

Sd/- H.V.NARAYANA RAO.

Secretary to Government,
Law Department.

To--The Compiler, Mysore Gazette, for publication.

Memo No.P.1265-9/Cts.
Dated, Bangalore, the 17th September 1941.

Copy of the above is forwarded with compliments to the (1) R.C. (2) Regr. H.C. (3) The Dy. S'Ore (4) The Compiler

By Order,

For Secretary to Government.

TN)

GOVERNMENT OF HIS HIGHNESS THE MAHARAJA OF MYSORE.

No.P.1264/Cts. 68-41-2 General and Revenue Secretariat, 17th September 1941.

Dated Bangalore, ...

NOTIFICATION.

Under Section 39 of the Code of Criminal Procedure, 1904, Government are pleased to confer on the Assistant Commissioner in charge of the Bangalore Sub Division and Civil Officer, Bangalore, by virtue of his office, all the ordinary powers of a Magistrate of the First Class under the Code and under Section 37 of the Code he is invested with all the additional powers specified in Schedule IV as powers with which a Magistrate of the First Class may be invested by Government except the following powers:-

(i) power to hear appeals from convictions by Magistrates of the Second and Third Classes (Section 407, Code of Criminal Procedure).

(ii) power to try cases of sedition under Section 124-A of the Indian Penal Code.

He will exercise his magisterial powers within the area occupied by the camps for the Italian Prisoners of War and the Military Training Camps specified in Government Notification No.P.511/Legis. 2-41-7 dated 1st August 1941 and try all cases under the Indian Penal Code and special and local laws arising in the area referred to above. He will also hold his Court in the Camp area.

By Order,

Secretary to Government,
Law Department.

To--The Compiler, Mysore Gazette, for publication.